

IN RE: PETITION FOR ZONING VARIANCE  
E/S Naygall Road, 673.77' S  
of Glenmill Road  
(9107 Naygall Road)  
11th Election District  
5th Councilmanic District  
Raymond J. Ewers, et ux  
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a lot width of 60 feet in lieu of the required 70 feet, as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Mr. Ewers, appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 19th day of November, 1988 that the Petition for Zoning Variance to permit a lot width of 60 feet in lieu of the required

70 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner shall not request any future variances from side, front or rear yard setback requirements to construct a dwelling on the subject property.

AMN:bjs

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333  
J. Robert Haines  
Zoning Commissioner

November 2, 1988

Mr. & Mrs. Raymond J. Ewers  
9107 Naygall Road  
Baltimore, Maryland 21234

RE: PETITION FOR ZONING VARIANCE  
E/S Naygall Road, 673.77' S of Glenmill Road  
(9107 Naygall Road)  
11th Election District - 5th Councilmanic District  
Raymond J. Ewers, et ux - Petitioners  
Case No. 89-148-A

Dear Mr. & Mrs. Ewers:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

cc: People's Counsel

File

Dennis F. Rasmussen  
County Executive

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 11th  
Posted for: Variance  
Petitioner: Raymond J. Ewers, et ux  
Location of property: E/S Naygall Rd., 673.77' S of Glenmill Rd.  
Location of signs: E/S Naygall Rd., same as E/S Naygall Rd.  
Remarks: None  
Posted by: J. Robert Haines  
Number of Signs: 1

CERTIFICATE OF PUBLICATION

PAGE 8-SEC. D-TH  
SALES & LEGAL NOTICES  
NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the subject variance to permit a lot width of 60 feet in lieu of the required 70 feet, as more particularly described in Petitioner's Exhibit 1, on Friday, October 21, 1988 at 9:00 a.m. in Room 111, County Office Building, located at 111 Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
Case number: 89-148-A  
E/S Naygall Road, 673.77' S of Glenmill Road  
(9107 Naygall Road)  
11th Election District - 5th Councilmanic District  
Petitioner(s): Raymond J. Ewers, et ux  
HEARING SCHEDULED: FRIDAY, OCTOBER 21, 1988 at 9:00 a.m.

Variance to allow a buildable lot width of 60 feet in lieu of the required 70 feet for the lot adjoining #17 to the south.  
In the event that this Petition is granted, a building permit may be issued within 30 days of the date of the hearing. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
5404 Sept. 28

TOWSON, MD., Oct. 17, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on Sept. 27, 1988.

THE JEFFERSONIAN,

Publisher

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333  
J. Robert Haines  
Zoning Commissioner

Date: 10/19/88

Mr. & Mrs. Raymond J. Ewers  
9107 Naygall Road  
Baltimore, Maryland 21234

RE: Petition for Zoning Variance  
CASE NUMBER: 89-148-A  
E/S Naygall Road, 673.77' S of Glenmill Road  
11th Election District - 5th Councilmanic District  
Petitioner(s): Raymond J. Ewers, et ux  
HEARING SCHEDULED: FRIDAY, OCTOBER 21, 1988 at 9:00 a.m.

Dear Mr. & Mrs. Ewers:

Please be advised that \$8.55 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE, REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 059027

DATE: 10/21/88 ACCOUNT: R-01-615-000

RECEIVED FROM: Raymond J. Ewers

FOR: Posting and Advertising 10/21/88 hearing

8 0014\*\*\*\*\*8655: 521889-148-A

VALIDATION OR SIGNATURE OF CARRIER  
DATE: 10/21/88 TIME: 10:00 AM YELLOW-CARRIER

PETITION FOR ZONING VARIANCE  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-148-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1. To allow a buildable lot width of 60 feet in lieu of the required 70 feet for the lot adjoining #17 to the south.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

WANT TO SELL LOT AS A BUILDING LOT  
BUILDING LOTS IN JOPPA VILLAGE HAD 60' FRONT YARD  
WHEN LOT WAS PURCHASED IN 1956

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):

(Type or Print Name) RAYMOND J. EWERS

Signature RAYMOND J. EWERS

Address MARGUERITE A. EWERS

City and State Towson, Md.

Address 9107 NAYGALL RD. 256-2334

City and State BALTO. MD. 21234

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

Attorney's Telephone No. Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 31st day

of November, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of October, 1988, at 9 o'clock

A.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County.

(over)

September 14, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property W. Chesapeake Avenue in Towson, Maryland as follows:

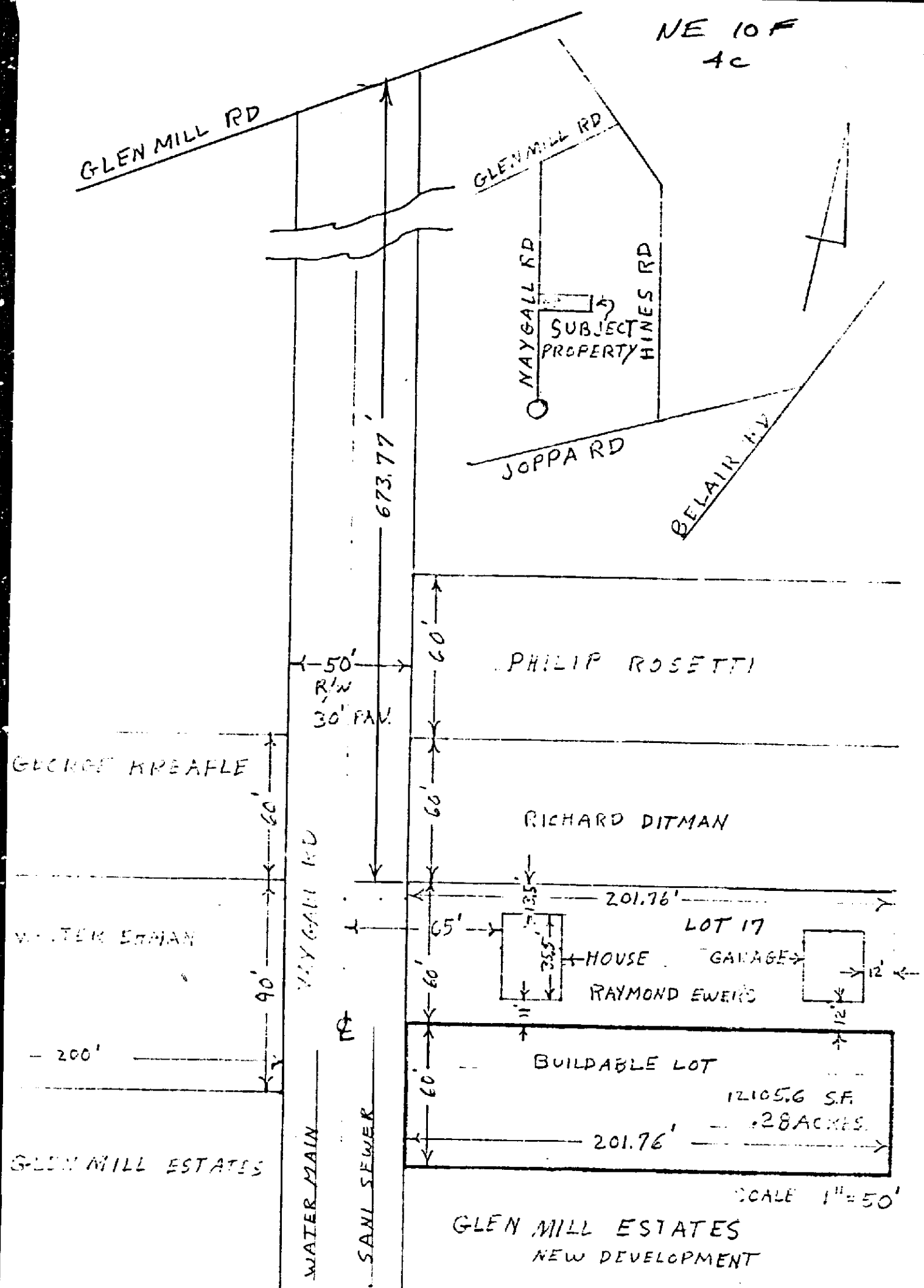
Petition for Zoning Variance  
CASE NUMBER: 89-148-A  
E/S Naygall Road, 673.77' S of Glenmill Road  
(9107 Naygall Road)  
11th Election District - 5th Councilmanic District  
Petitioner(s): Raymond J. Ewers, et ux  
HEARING SCHEDULED: FRIDAY, OCTOBER 21, 1988 at 9:00 a.m.

Variance to allow a buildable lot width of 60 feet in lieu of the required 70 feet for the lot adjoining #17 to the south.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
cc: Mr. & Mrs. Ewers  
File





# PLAT FOR ZONING VARIANCE

OWNER: RAYMOND J. EWEARS, et ux  
DISTRICT - II ZONED D.R. 3.5  
SUBDIVISION - JOPPA VILLAGE  
LOT NO. 17 & LOT ADJOINING ON THE SOUTH  
PLAT NO. 1 SECTION D (PLAT BOOK G.L.B. NO. 22 FOLIO 14 - Lot 17 only)  
FRONT Y AS 9107 NAYGALL RD  
EXISTING UTILITIES IN NAYGALL RD

**PETITIONER'S EXHIBIT 1**

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 10, 1988

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

000

Mr. & Mrs. Raymond J. Ewers  
9107 Naygall Road  
Baltimore, Maryland 21234

RE: Item No. 70 - Case No. 89-148-A  
Petitioner: Raymond J. Ewers, et ux  
Petition for Zoning Variance

Dear Mr. & Mrs. Ewers:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:dt

**MEMBERS**  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

89-148-A

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
21st day of August, 1988.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Petitioner: Raymond J. Ewers, et ux  
Petitioner's Attorney: \_\_\_\_\_

Received by: James E. Dyer  
Chairman, Zoning Plans Advisory Committee

Baltimore County  
Fire Department  
Towson, Maryland 21204-2586  
494-4500

Paul H. Reincke  
Chief

September 12, 1988

J. Robert Haines, Zoning Commissioner  
Office of Planning & Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Re: Property Owner: Raymond J. Ewers, et ux

Location: E/S Naygall Road, 673.77' S. of Glenmill Road  
9107 Naygall Road

Item No.: 70 Zoning Agenda: Meeting of 8/30/88

*Dennis F. Rasmussen*  
County Executive

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Cott Green Kelly 9-12-88*  
Planning Group  
Special Inspection Division

NOTED &  
APPROVED:

*John F. O'Neill*  
Fire Prevention Bureau